



LABOR LAW

Prevention of risks in work relations

Schmidt, Valois, Miranda, Ferreira & Agel has a team with considerable experience in issues related to Labor and Employment Law, such as occupational health and safety programs and high-impact corporate crisis management (large-scale work accidents, environmental incidents, strikers etc.). Regarding the consulting area, we offer legal advice to national and foreign companies operating in Brazil, in matters involving individual and collective rights, including support in merger and acquisition operations, review of variable compensation plans (profit sharing, commissions, stock options, withholding plans, as well as voluntary dismissal).

We draft opinions and consultations on both traditional labor law issues and those focused on new technologies and innovations, "Bring your own device" policies, use of Wi-Fi and devices provided by the employer, employee monitoring, among others.

We are able to reach collective bargaining agreements with unions as well as to file collective dispute against the Union before the labor courts.

We work in high complexity litigation, defining strategies of judicial and administrative defenses, monitoring all procedural phases, including Superior Courts arguments.

We represent our clients in administrative procedures such as Investigatory Procedures, Public Civil Investigations as well as in Labor Class Actions filed by the Labor Prosecution Office and by Unions, among others.

We advise on arbitration proceedings, including the execution of confidentiality, non-solicitation and noncompetition clauses.

Our main goal is to seek creative solutions focused on the clients' business, capable of reducing or minimizing risks and costs.

How we can help:

- Judicial and administrative litigation: assistance on collective and individual labor lawsuits, in all stages of the procedure, including oral arguments before the Superior Courts. Defense in labor administrative procedures such as Notice of Infractions, Preparatory Procedures, Public Civil Investigations and Class Actions filed by the Labor Prosecution Office and/or unions.
- Preparation of legal opinion on labor law traditional themes, as well as those related to occupational health and safety, new technologies, personal data protection standards, "Bring your own device" policies, work from home etc.
- Assistance in the management of corporate crisis involving employees (individually or collectively) such as large-scale work accidents, environmental incidents, strikes etc.
- Assistance in the draft of and the review of codes of ethics and internal policies, including related to compliance.
- Analysis of stock option plans, profit sharing and results, as well as restrict stock units (RSUs).
- Support in merger and acquisition operations, both for the preparation of due diligence, as well as in the subsequent equalization of positions, salaries and harmonization of benefits. Advice in corporate reorganization procedures and transfer of employees between companies.
- Collective negotiation and related litigation (agreements, conventions and collective disputes).
- Assistance in arbitration proceedings, including the execution of confidentiality, non-solicitation and noncompetition clauses.



Ana Paula Ferreira Vizintini

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Lawyer acting in Labor Law.

Ana Paula Vizintini is specialist in Labor & Employments matters and Compliance, with extensive experience in these topics, acquired over the last 23 years, when she worked for a big law firm, where she was the partner responsible for

the labor area for more than 15 years.

She has extensive experience in labor corporate law advising national and multinational companies from different industries, participating in the front line in matters related to individual and collective Labor Law and Compliance. Solid background in Strategic Labor Litigation to relevant lawsuits (labor class actions, injunctions, and other petitions for urgent relief). Strong experience in managing corporate crises of great impact, as well as in restructuring/reducing large labor liabilities, in leading and negotiating Terms of Adjustment of Conduct (TAC) in administrative processes from the initiative of the Labor Public Prosecutor, Ministry of Labor (including administrative procedures to promote the total or partial block of business activities) and of Professional Representation Entities (CREA, CRQ, CRA, etc.), and follow-up of labor inspections. Expertise in major collective negotiations with unions, federations, and confederations (collective labor agreement, strikes etc.).

Recognized for several years for her strong expertise in Labor and Employment matters and highly recommended by the most relevant national and international legal publications such as Chambers, Leaders League, Expert Guides and The Legal 500, among others.

She had been participated in annual seminars and in road shows around the world. Frequent speaker at seminars in Brazil, Latin America, and Europe, including on current issues such as Labor Reform, General Law on Data Protection, and the Provisional Measure of Economic Freedom.

Guest Professor of several institutions such as FGV-RJ, IBMC-RJ, AMCHAM-SP (labor arbitration regular course) and Escola Superior de Advocacia (ESA) of the Brazilian Bar Association (OAB/RJ) and OAB/ES (labor due diligence of M&A regular course).

Master in labor law by the University of Salamanca, Spain. Postgraduate degree in Labor Law and Litigation from Mackenzie Presbyterian University. Graduated by Santa Ursula University.

Languages: Portuguese, English and Spanish.



Paula Ottero

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Lawyer specialized in Labor Law.

Acting with emphasis on litigation and strategic labor advisory of multinational companies of various industries, in the judicial and administrative spheres. Preparation, analysis and review of individual and collective labor contracts, analysis

and review of judicial and extrajudicial agreements. She has experience in individual and collective work discussions, disputes related to occupational health and safety and occupational disease. Also active in consulting on individual and collective matters, including termination, collective bargaining, employee compensation, as well as general advice on labor legislation, employment contracts, labor benefits and executive compensation and employee transfer. Performs risk analysis of judicial proceedings and administrative procedures.

Public civil actions related to environmental contamination and impacts on the individual and collective work relationship. Civil Inquiry related to various topics. Annulment Action and administrative procedures related to compliance with quota of people with disabilities in the oil and gas industry and other subjects. Individual Labor lawsuits of high economic risk and leading cases.

Coauthor of the article "Quota Law – particularities and challenges", Valor Econômico, in 2019.

Brazilian Bar Association (OAB) – Rio de Janeiro chapter.

Post-graduated in Labor law and work procedure by the Pontifícia Universidade Católica do Rio de Janeiro (PUC/RJ). Post-graduated in Criminal law and Criminal Proceeding by Faculdade Unyleya. Graduated by Universidade Estácio de Sá, with specialization in public and private law by Public Ministry School Foundation.

Languages: Portuguese and English.

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